HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 766 (M/S) of 2001
Old No. 33761 of 1996

State of U.P. through Executive Engineer,
Public Works Department, 22nd Circle Nainital. ..... Petitioner.

Vs

1. Presiding Officer, Labour Court Haldwani, District- Nainital
2. Gopal Dutt S/o Sri Daya Nand,
   R/o Village Amel (Ropa) post Office, Balaght
   District Nainital. .....Respondents

Dated: - 13-09-2006

Hon'ble B.S. Verma, J.

Heard Sri R.C. Arya leaned standing counsel for the petitioner and Sri P.S. Rawat learned counsel for the respondents.

The present writ petition has been filed by the petitioner to issue a writ, order or direction in the nature of certiorari quashing the award dated 31-8-1995 published on 7-6-1996 in Case No.130/94 Gopal Dutt Vs. Executive Engineer, 22nd Circle Works Department, Nainital passed by respondent No.1.

On the restoration application the Ex-party award has been set aside by the labour Court. Subsequently, after hearing both the parties the Labour Court decide the dispute afresh by passing a separate award against which the State has already filed the Writ Petition No. 576 of 2003.

In view of the above facts, the writ petition has been rendered infructuous and is dismissed as such.

(B.S. Verma, J.)

Dated: - 13-09-2006
M.K.